



MARINE ENVIRONMENT PROTECTION
COMMITTEE
43rd session
Agenda item 9

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WORK OF OTHER BODIES

Outcome of the seventh session of the Commission on Sustainable Development

Note by the Secretariat

SUMMARY

Executive summary:	This document highlights the outcome of the seventh session of the Commission on Sustainable Development (CSD) and summarizes those decisions and recommendations which have been directly addressed to IMO.
Action to be taken:	Paragraph 4.
Related documents:	MEPC 42/12/2, MEPC 42/22, paragraphs 12.11 - 12.16

1 The Committee will recall that, during the 42nd session, it approved the IMO Report to CSD-7 and requested that the Secretariat submit this in due course. The IMO Report, among other submissions, was considered by the Preparatory *Ad Hoc* Working Group on Oceans and Seas and on the Sustainable Development of Small Island Developing States (New York, 1 - 5 March 1999) and was duly reflected in the *Ad Hoc* Group's Report to CSD-7 (E/CN.17/1999/17). The Secretariat's contribution to the United Nations Secretary-General's Report to CSD-7 on Oceans and Seas was also included in the document E/CN.17/1999/4.

2 The above documents, among others, were discussed at the seventh session and the Commission agreed on the conclusions and recommendations which will be reproduced in the report of CSD-7 to the next session of the United Nations Economic and Social Council.

3 Summarized below are those parts of the CSD-7 report that are related to the IMO mandate:

"Oceans and Seas

3 Areas of particular concern

32.

(a) Regrets the lack of follow-up to its decision 4/15, reiterates those recommendations and welcomes the intention of IMO, working in partnership with other sponsoring organizations, to improve the effectiveness and inclusiveness of the Joint Group of Experts on the Scientific Aspects of Marine Environmental Protection (GESAMP), and encourages them to undertake actions recommended by the Commission in its decision 4/15. The Commission further recommends exploring the possibility of

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establishing means for GESAMP to interact with scientific representatives of Governments and major groups;

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35. The Commission:

(a) Invites IMO to develop, as a matter of urgency, measures, in binding form, where the Members of the IMO consider it appropriate to ensure that ships of all flag States meet international rules and standards so as to give full and complete effect to UNCLOS, especially Article 91 (Nationality of ships), as well as provisions of other relevant conventions.* In this context, the Commission emphasizes the importance of further development of effective port State control;

(b) Urges that the export of wastes and other matter for the purpose of dumping at sea be stopped; the Commission further recommends that States be encouraged to become Parties to, and implement, the 1996 Protocol to the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter of 1972;

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(d) Discussed further the question of the right of States to prohibit the transboundary movement of hazardous and radioactive wastes and materials within their jurisdictions consistent with international law. It noted that some delegations urged the continuation of efforts to ensure that transboundary movements of such materials be undertaken in a safe and secure manner and that these delegations indicated support for the call for States that have not done so to become Parties and implement the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management and to consider making the Irradiated Nuclear Fuels Code a mandatory instrument. However, the Commission was not able to reach a consensus on these proposals;

(e) Recommends that the international community be encouraged to co-operate fully in the various efforts in accordance with relevant international agreements, such as the International Convention for the Prevention of Pollution from Ships (MARPOL 73/78), to assist in the prevention of the spread of harmful aquatic organisms through ships' ballast water;

(f) Recommends that the programme for the development within the framework of IMO of controls on harmful anti-fouling paints used on ships should be carried out in accordance with the timetable foreseen, underlining the need to provide adequate expertise and resources to developing countries in the context mentioned in paragraph 3(d);

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When considering the problem of flag States which do not fulfil their responsibilities under international law with respect to their fishing vessels, the Commission further encouraged IMO, in co-operation with FAO and the UN Secretariat, to consider the implications in relation to fishing vessels of the work requested in this paragraph.

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(h) Notes that the scrapping of ships presents an issue of concern with regard to the pollution of the environment and therefore calls on IMO to look into this issue and encourages States to ensure that responsible care is applied with regard to the disposal of decommissioned ships, taking into account the need to provide adequate expertise and resources to developing countries in the context mentioned in paragraph 3(d);

(i) Recommends that States should consider ratifying, accepting or approving Annex VI to the MARPOL Convention on the control of air pollution from shipping;

(j) Recommends that, in order to reduce the environmental risks and potential damages associated with maritime transport, in particular when transiting areas which are environmentally sensitive, States should fully implement the IMO regulation for the prevention of collisions at sea.

36. The Commission, taking into account its decision 4/15, and noting the outcome of the international expert meeting on environmental practices in offshore oil and gas activities, sponsored by Brazil and the Netherlands and held at Noordwijk, the Netherlands, in 1997, recommends that:

(a) The primary focus of action on the environmental aspects of offshore oil and gas operations continue to be at the national, subregional and regional levels;

(b) In support of such action, there is a need to share information on the development and application of satisfactory environmental management systems, aimed at achieving national, subregional and regional environmental goals;

(c) To promote the sharing of that information, to raise awareness and to provide early warning of off-shore oil and gas activities and projects posing potential threats to the marine environment, further initiatives should be undertaken, involving Governments, international organizations, operators and major groups.

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Tourism and sustainable development

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6. *Invites* relevant agencies, particularly the International Maritime Organization, to evaluate whether existing regulations on marine pollution and compliance with them are sufficient to provide adequate protection to fragile coastal zones from adverse impacts as a result of tourist vessel activities;"

Action requested of the Committee

4 The Committee is invited to:

.1 take note of the information and, in particular, to take into consideration recommendations of the CSD-7 when considering relevant items of its work programme; and

- .2 draw the attention of MSC and other IMO bodies to the conclusions and recommendations of CSD-7, as appropriate.
